

Appellate Docket Number: 10-18-00014-CR

Appellate Case Style: Style: Danny Wayne Alcoser

Vs. State of Texas

Companion Case:

FILED IN
10th COURT OF APPEALS
WACO, TEXAS

1/23/2018 9:24:17 AM

SHARRI ROESSLER
Clerk

Amended/corrected statement: ☐

DOCKETING STATEMENT (Criminal)

Appellate Court: 10th Court of Appeals

(to be filed in the court of appeals upon perfection of appeal under TRAP 32)

I. Appellant

First Name: Danny

Middle Name: Wayne

Last Name: Alcoser

Suffix:

Appellant Incarcerated? ☒ Yes ☐ No

Amount of Bond:

Pro Se: ☐

II. Appellant Attorney(s)

☒ Lead Attorney

First Name: E

Middle Name: Alan

Last Name: Bennett

Suffix:

☐ Appointed

☐ District/County Attorney

☒ Retained

☐ Public Defender

Firm Name: Sheehy, Lovelace & Mayfield

Address 1: 510 N. Valley Mills Dr Ste 500

Address 2:

City: Waco

State: Texas

Zip+4: 76710

Telephone: 254.772.8022

ext.

Fax:

Email: abennett@slm.law

SBN:

Add Another Appellant/
Attorney

III. Appellee	IV. Appellee Attorney(s)
First Name: <input style="width: 90%;" type="text" value="State of Texas"/> Middle Name: <input style="width: 90%;" type="text"/> Last Name: <input style="width: 90%;" type="text"/> Suffix: <input style="width: 20%;" type="text"/> Appellee Incarcerated? <input type="checkbox"/> Yes <input type="checkbox"/> No Amount of Bond: <input style="width: 60%;" type="text"/> Pro Se: <input type="radio"/>	<input checked="" type="checkbox"/> Lead Attorney First Name: <input style="width: 90%;" type="text" value="Sterling"/> Middle Name: <input style="width: 90%;" type="text"/> Last Name: <input style="width: 90%;" type="text" value="Harmon"/> Suffix: <input style="width: 20%;" type="text"/> <input type="checkbox"/> Appointed <input checked="" type="checkbox"/> District/County Attorney <input type="checkbox"/> Retained <input type="checkbox"/> Public Defender Firm Name: <input style="width: 90%;" type="text" value="McLennan County DA's Office"/> Address 1: <input style="width: 90%;" type="text" value="219 North 6th Street, Ste 200"/> Address 2: <input style="width: 90%;" type="text"/> City: <input style="width: 90%;" type="text" value="Waco"/> State: <input style="width: 20%;" type="text" value="Texas"/> Zip+4: <input style="width: 20%;" type="text" value="76701"/> Telephone: <input style="width: 20%;" type="text" value="254-757-5084"/> ext. <input style="width: 20%;" type="text"/> Fax: <input style="width: 60%;" type="text"/> Email: <input style="width: 90%;" type="text" value="sterling.harmon@co.mclennan.tx.us"/> SBN: <input style="width: 60%;" type="text"/> Add Another Appellee/ Attorney
V. Perfection Of Appeal, Judgment And Sentencing	
Nature of Case (Subject matter or type of case): <input style="width: 90%;" type="text" value="Assaultive"/> Type of Judgment: <input style="width: 90%;" type="text" value="Jury Trial"/> Date trial court imposed or suspended sentence in open court or date trial court entered appealable order: <input style="width: 90%;" type="text" value="January 4, 2018"/> Offense charged: <input style="width: 90%;" type="text" value="Aslt f/v-ct1,EndangerChild-ct2,Intfr w/911-ct3"/> Date of offense: <input style="width: 60%;" type="text" value="May 15, 2016"/> Defendant's plea: <input style="width: 90%;" type="text" value="Not Guilty"/> If guilty, does defendant have the trial court's certificate to appeal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Was the trial by: <input checked="" type="checkbox"/> jury or <input type="checkbox"/> non-jury? Date notice of appeal filed in trial court: <input style="width: 90%;" type="text" value="January 4, 2018"/> If mailed to the trial court clerk, also give the date mailed : <input style="width: 90%;" type="text"/> Punishment assessed: <input style="width: 90%;" type="text" value="20 years-Ct1, 2years-Ct2, 1 year-Ct3"/> Is the appeal from a pre-trial order? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Does the appeal involve the constitutionality or the validity of a statute, rule or ordinance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
VI. Actions Extending Time To Perfect Appeal	
Motion for New Trial: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, date filed: <input style="width: 60%;" type="text" value="January 19, 2018"/> Motion in Arrest of Judgment: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, date filed: <input style="width: 60%;" type="text"/> Other: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, date filed: <input style="width: 60%;" type="text"/> If other, please specify: <input style="width: 90%;" type="text"/>	
VII. Indigency Of Party: (Attach file-stamped copy of motion and affidavit)	
Motion and affidavit filed: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA If yes, date filed: <input style="width: 60%;" type="text"/> Date of hearing: <input style="width: 60%;" type="text"/> <input type="checkbox"/> NA Date of order: <input style="width: 60%;" type="text"/> <input type="checkbox"/> NA Ruling on motion: <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> NA If granted or denied, date of ruling: <input style="width: 60%;" type="text"/>	

VIII. Trial Court And Record

Court: 19th District Court

County: McLennan

Trial Court Docket Number (Cause no): 2016-1261-C1

Trial Court Judge (who tried or disposed of the case):

First Name: Ralph

Middle Name: T.

Last Name: Strother

Suffix:

Address 1:

Address 2:

City:

State: Texas Zip + 4:

Telephone: ext.

Fax:

Email:

Clerk's Record:

Trial Court Clerk: ☒ District ☐ County

Was clerk's record requested? ☒ Yes ☐ No

If yes, date requested: Jan 19, 2018

If no, date it will be requested:

Were payment arrangements made with clerk?

☐ Yes ☐ No ☒ Indigent

Reporter's or Recorder's Record:

Is there a reporter's record? ☒ Yes ☐ No

Was reporter's record requested? ☒ Yes ☐ No

Was the reporter's record electronically recorded? ☐ Yes ☐ No

If yes, date requested: Jan 19, 2018

Were payment arrangements made with the court reporter/court recorder? ☒ Yes ☐ No ☒ Indigent

☒ Court Reporter

☐ Court Recorder

☒ Official

☐ Substitute

First Name: Terri

Middle Name:

Last Name: Popejoy

Suffix:

Address 1:

Address 2:

City:

State: Texas Zip + 4:

Telephone: ext.

Fax:

Email: terri.popejoy@co.mclennan.tx.us

1X. Related Matters

List any pending or past related appeals before this or any other Texas appellate court by court, docket number, and style.

Docket Number:

Court:

Style:

Vs.

X. Signature

Signature of counsel (or Pro Se Party)

Date: January 23, 2018

Printed Name:

State Bar No: 02140700

Electronic Signature: /s/ Alan Bennett
(Optional)

Name: E. Alan Bennett

XI. Certificate of Service

The undersigned counsel certifies that this docketing statement has been served on the following lead counsel for all parties to the trial court's order or judgment as follows on .

Signature of counsel (or pro se party)

Electronic Signature: /s/ Alan Bennett
(Optional)

State Bar No.: 02140700

Person Served:

Certificate of Service Requirements (TRAP 9.5(e)): A certificate of service must be signed by the person who made the service and must state:

- (1) the date and manner of service;
- (2) the name and address of each person served, and
- (3) if the person served is a party's attorney, the name of the party represented by that attorney

Please enter the following for each person served:

Date Served: January 23, 2018

Manner Served: eServe

First Name: Sterling

Middle Name:

Last Name: Harmon

Suffix:

Law Firm Name:

Address 1:

Address 2:

City:

State Texas

Zip+4:

Telephone:

ext.

Fax:

Email: sterling.harmon@co.mclennan.tx.us